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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/715,290 11/17/00 PFAFF

W 5831.58/P/CI

EXAMINER

MM71/0828

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NGUYEN, K

ART UNIT

PAPER NUMBER

2839

DATE MAILED:

08/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/7/5290

Applicant(s)

P. RAFF

Examiner

K. NGUYEN

Group Art Unit

2839

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-45 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-45 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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***Reissue Applications***

1. The Reissue application should be amended to include a cross reference to the other related pending application (09/166,238) at line 1 of the first page of the specification.
2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The amendments to the specification filed with the reissue application do not provide support for the claims 1-22 filed with the reissue application. These claims set forth a plurality of windows in the socket for receiving a plurality of terminal balls. The amendments change the scope of the invention by amending a plurality of windows to a single window in the socket for receiving a plurality of terminal balls.
3. The amendments filed with the reissue application are objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: A socket with a window for receiving and retaining a plurality of terminal balls of a BGA device, in which free end portions of contact fingers extend into a window (see amendments to col. 3 and col. 4).
4. Claims 23-45 are rejected under 35 U.S.C. 251 as being broadened in a reissue application filed outside the two year statutory period. The removal of the plurality of windows in newly

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added independent reissue claims 23, 32, 35, 43-45 and the substitution of a single window feature in other dependent reissue claims.

5. Claims 23-45 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 23-45 to a socket with a window or a support opening for receiving and retaining a plurality of terminal balls of a BGA device, in which free end portions of contact fingers extend into a window introduce new matter and do not have support in the specification and drawings as originally filed.

6. Claims 23-45 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The embodiments to a BGA sockets disclosed with the original specification and drawings do not seem to set forth the invention as being recited in new reissue claims 23-45. All embodiments seem to relate to a socket having a plurality of windows for receiving a plurality of terminal balls.

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7. Claims 25, 30, 33, 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recited "said window" or "the window" in the above dependent claims lack proper antecedent basis.

8. Claims 1-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is inconsistent terminology between the new set of reissue claims 23-45 and original patent claims 1-22. Original patent claims 1-22 are directed to a BGA socket having a plurality of windows for receiving terminal balls of a BGA device, while, reissue claims 23-45 are directed to a BGA socket having a window for receiving a plurality of terminal balls (see for example in paragraphs A of both claims 1 and 25). The specification if amended as being suggested by applicant would raise inconsistency between the original patent claims and the new reissue claims.


The amended reissue application would change the definition of the word window. The new definition is a large common area into which free end portions 42 of contact fingers 40 extend into. This is contradictory to the originally filed specification which states "the free end portions 42 of contact fingers 40 are positioned to extend into window 23 near surface 24, but do not extend above surface 24".

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Khiem Nguyen whose telephone number is (703) 308-1738.

If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached at 703-308-3119.

The fax phone number for this group is 703-305-3431.

  
Kheim Nguyen  
Primary Examiner

K.N.

August 26, 2001